

IN THE DISTRICT COURT OF RIO ARRIBA COUNTY

STATE OF NEW MEXICO

STATE OF NEW MEXICO on the
relation of S. E. REYNOLDS,
State Engineer,

Plaintiff,

vs.

ROMAN ARAGON, et al.,

Defendants.

No. 8294

Sub-File No. 262

Acequia de Chamita

ORDER

THIS MATTER having come before the Court and after
having heard the testimony, considered the evidence, and
being fully advised in the premises, now finds:

1. Name of defendant: **Fidel Merhege**
2. Defendant ha ~~e~~ been legally served with process,
ha ~~e~~ not filed an answer, certificates of non-
appearance and default have been filed, and the
defendant ~~is~~ adjudged to be in default.
3. The Court has jurisdiction of the parties
and the subject matter herein.
4. State Engineer's hydrographic survey and report
relating to th~~e~~ defendant ~~e~~ water rights
have been introduced into the record and the
same hereby are incorporated and made a part
of this Order; that said hydrographic survey
and report contain a true and correct summary
of the contents of the instruments referred to
therein.

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5. The defendant Fidel Merhege
has a right to withdraw public, surface and/or
underground waters from the Rio Chama Stream
System for irrigation purposes as follows:

State Engineer's File No. --

Priority: 1724

Source of water: Surface waters of the Rio Chama

Point of diversion: Through and by means of the
Acequia de Chamita (also known as Guique Ditch) which
diverts out of the north bank of the Rio Chama, located in
the northwest part of the Bartolome Sanchez Grant, New
Mexico Coordinate System, Central Zone: X = 536,680 and Y =
1,850,010, Rio Arriba County, New Mexico.

Location & Amount of Acreage: 6.45 acres irrigated;
1.75 acres in part of P.C. 183, P. 4, Exception 1, and
4.75 acres in part of P.C. 269, P. 1, Exception 1, all in
Section 5, T. 21 N., R. 8 E., within the San Juan Pueblo
Grant, Rio Arriba County, New Mexico.

Duty of water: Not to exceed three acre feet
per acre per annum delivered at the
farm head gate.

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The defendant Fidel Merhege
has no other surface/ground water irrigation rights

in the aforesaid section.

That the defendant Fidel Merhege
~~his~~ agents, employees, privies, co-tenants, tenants,
assigns, attorneys, and any and all other persons having
a constructive knowledge of the restraining Order should
be enjoined from any use of the surface/ground water

in the aforesaid section

for irrigation, except in strict accordance with the
water rights set out hereinabove.

IT IS, THEREFORE, ORDERED that the defendant, _____

Fidel Merhege

be and hereby is adjudicated to have a good and valid water right as
set forth above.

IT IS FURTHER ORDERED that the defendant, _____

Fidel Merhege

~~his~~ agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having constructive knowledge
of the restraining order, be and they hereby are, enjoined from any
use of the surface/ground water in
the aforesaid section

except in strict accordance with the water rights set out hereinabove.

DATED, this 15 day of April, 1963.

A TRUE COPY OF

ORIGINAL Order on file
ENTERED April 15 19 63

SUSIE M. MONTOYA

CLERK

By J. M. Scarborough - Deputy

J. M. SCARBOROUGH
DISTRICT JUDGE